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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, OCTOBER 16, 2001

APPLICATION OF

ENRON BROADBAND SERVICES OF
VIRGINIA, INC.

CASE NO. PUC010054

For a certificate of public
convenience and necessity to
provide local exchange
telecommunications services

FINAL ORDER

On August 8, 2001, Enron Broadband Services of Virginia, Inc. ("Enron" or the "Company"), completed an application for a certificate of public convenience and necessity with the State Corporation Commission ("Commission") to provide local exchange telecommunications services throughout the Commonwealth of Virginia.

By Order dated August 20, 2001, the Commission directed the Company to provide notice to the public of its application, directed the Commission Staff to conduct an investigation and file a Staff Report, and scheduled a public hearing to receive evidence relevant to Enron's application. On September 21, 2001, Enron filed proof of publication and proof of service as required by the August 20, 2001, Order.

On October 1, 2001, the Staff filed its Report finding that Enron's application was in compliance with the Rules Governing

the Offering of Competitive Local Exchange Telephone Service ("Local Rules"). Based upon its review of Enron's application, the Staff determined it would be appropriate to grant the Company certificates to provide local exchange telecommunications services subject to the following conditions:

(1) should Enron collect customer deposits, it shall establish and maintain an escrow account for such funds, held in a Virginia office of a duly chartered state or national bank, savings and loan association or savings bank, or credit union that is unaffiliated with Enron and shall notify the Division of Economics and Finance of the escrow arrangement and any subsequent change. Any escrow arrangement established pursuant to this requirement shall be maintained until such time as the Staff or Commission determines it is no longer necessary;

(2) Enron shall notify the Division of Economics and Finance 30 days prior to the cancellation or lapse of its Surety Bond and provide documentation regarding the replacement of this bond. This requirement shall be maintained until such time as Staff or the Commission determines it is no longer necessary; and (3) at such time as voice services are initiated by the Company, Enron shall comply with all requirements of § C (Conditions for Certification) of the Local Rules.

A hearing was conducted on October 10, 2001. At the hearing, the application and accompanying attachments and the

Staff Report were entered into the record without objection. No public witnesses appeared.

NOW THE COMMISSION, having considered the application and the Staff Report, finds that the Company should be granted a certificate to provide local exchange telecommunications services.

Accordingly, IT IS ORDERED THAT:

(1) Enron is hereby granted a certificate of public convenience and necessity, No. T-570, to provide local exchange telecommunications services subject to the restrictions set forth in the Commission's Rules Governing the Offering of Competitive Local Exchange Telephone Service, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(2) The Company shall provide tariffs to the Division of Communications that conform to all applicable Commission rules and regulations.

(3) Should Enron collect customer deposits, it shall establish and maintain an escrow account for such funds, held in a Virginia office of a duly chartered state or national bank, savings and loan association or savings bank, or credit union that is unaffiliated with Enron and shall notify the Division of Economics and Finance of the escrow arrangement and any subsequent change. Any escrow arrangement established pursuant

to this requirement shall be maintained until such time as the Staff or Commission determines it is no longer necessary.

(4) Enron shall notify the Division of Economics and Finance thirty (30) days prior to the cancellation or lapse of its Surety Bond and provide documentation regarding the replacement of this bond. This requirement shall be maintained until such time as Staff or the Commission determines it is no longer necessary.

(5) At such time as voice services are initiated by the Company, Enron shall comply with all requirements of § C (Conditions for Certification) of the Local Rules.

(6) There being nothing further to come before the Commission, this case shall be dismissed and the papers filed herein placed in the file for ended causes.